

TFC Contract No. 16-111-000  
Amendment No. 1  
RFQ No. 303-6-00279  
Architecture Plus  
Project No. 16-006-5730

**AMENDMENT NO. 1  
TO THE  
PROFESSIONAL ARCHITECTURAL/ENGINEERING SERVICES  
AGREEMENT  
BETWEEN  
THE TEXAS FACILITIES COMMISSION  
AND  
ARCHITECTURE PLUS**

**This Amendment No. 1** to the Professional Architectural/Engineering Services Agreement (hereinafter referred to as “Amendment No. 1”) is entered into by and between the Texas Facilities Commission (hereinafter referred to as “TFC”), a state agency located at 1711 San Jacinto Boulevard, Austin, Texas 78701, as Owner (as defined in UGC, Section 1.28), and Architecture Plus (hereinafter referred to as “A/E”), located at 1907 North Lamar Boulevard, Suite 260, Austin, Texas 78705 (hereinafter referred to collectively as the “Parties”), to amend the original Professional Architectural/Engineering Services Agreement between the Parties.

**RECITALS**

WHEREAS, on July 08, 2016, the parties entered into that one certain *Professional Architectural/Engineering Services Agreement Between the Texas Facilities Commission and Architecture Plus* (hereinafter referred to as the “Agreement”); and

WHEREAS, the parties desire to enter into this Amendment No. 1 in order to extend the Term the Agreement as more particularly described below; and

WHEREAS, the Texas Legislature in the 85th Regular Legislative Session, enacted House Bill 89 effective September 1, 2017, relating to prohibiting contracts with companies boycotting Israel; and

WHEREAS, the Texas Legislature in the 85th Regular Legislative Session, enacted Senate Bill 252 effective September 1, 2017, relating to prohibiting governmental contracts with a company doing business with Iran, Sudan, or a foreign terrorist organization; and

WHEREAS, TFC has determined to modify the Agreement so that it reflects these prohibitions;

NOW THEREFORE, the parties hereby agree as follows:

1. Unless clearly provided otherwise herein, all terms and phrases in initial caps herein shall have the same meaning as the terms and phrases with initial caps in the Agreement.
2. The parties agree to modify ARTICLE III – TERM AND TERMINATION – SECTION 3.1 – DURATION, by deleting the paragraph in its entirety and replacing it with the following:

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"3.1. Duration. This Agreement shall be effective as of the Effective Date and shall terminate on December 31, 2020, unless extended by the parties by amendment to this Agreement or terminated earlier, as provided below."

3. The parties hereby agree to modify ARTICLE VI – WARRANTIES AND REPRESENTATIONS MADE BY A/E, by adding SUBSECTIONS 6.1.14 and 6.1.15, which shall read in their entirety as follows:

"6.1.14. Prohibition Against Boycotting Israel. In accordance with Section 2270.002 of the Texas Government Code, by signature hereon, Contractor certifies that it does not boycott Israel and will not boycott Israel during the term of this Contract.

6.1.15. Prohibition Against Contracting with Companies Engaged in Business with Iran, Sudan, or Foreign Terrorist Organizations. In accordance with Section 2251.152 of the Texas Government Code, TFC is prohibited from entering into a governmental contract (as defined in Texas Government Code Section 2252.151(3)) with a company that is identified on a list prepared and maintained under Texas Government Code Section 806.051, 807.051, or 2252.153. If contractor is on the above-referenced list the Contract will be considered void or voidable and TFC will not be responsible to pay Contractor for any work performed."

4. All other terms and conditions of the Agreement not expressly amended herein shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have made and executed this Amendment No. 1 to be effective as of the date of the last party to sign.

**TEXAS FACILITIES COMMISSION**

**ARCHITECTURE PLUS**

By: DocuSigned by:  
  
BTCSFCA0A8020417...

By: DocuSigned by:  
  
8EB271D8779646D...

Mike Novak

Eric Hudson

Executive Director

Principal

Date of execution: 12/21/2018 | 12:51 PM CST

Date of execution: 12/21/2018 | 11:17 AM CST

G.C. NRG

Dir. mm

D.E.D. m